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Matthew Ruhlen

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William J. Daley

Merchant & Gould P.C.

P.O. Box 2903

Minneapolis, MN 55402-0903

EXAMINER

PHAM, HUNG Q

ART UNIT

PAPER NUMBER

2168

DATE MAILED: 10/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/660,899

Applicant(s)

RUHLEN, MATTHEW

Examiner

HUNG Q. PHAM

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Claim Rejections - 35 USC § 101

Applicants' arguments with respect to the rejection under 35 U.S.C. § 101 have been fully considered.

The rejection of claim 29 under 35 U.S.C. § 1014 has been withdrawn in view of the amendment.

The rejection of claims 30-42 is sustained for the reasons as discussed in the first Office Action.

Claim Rejections - 35 USC § 102

Applicants' arguments with respect to the rejection of claims 1-7, 9, 12, 15-21, 23, 26, 29-35, 37 and 40 under 35 U.S.C. § 102 (e) have been fully considered but they are not persuasive.

- In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., ... *After locating an appropriate patterned URL... Additional details of generating the destination URL will be discussed below with reference to FIGS. 3-6 (Remark, Page 13, Lines 1-18))* are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

- As argued by applicants at page 14 and 15 with respect to claims 1, 15 and 29:

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As indicated above, Fuisz fails to teach "receiving a request uniform locator" and from the received request uniform locator "determining the patterned URL." Fuisz further fails to teach that from the determined patterned URL "generating a destination URL based on at least one of..." Accordingly, Applicants assert that independent claim 1 is allowable over the cited references.

Applicants rely on the above arguments in support of independent claim 15. Independent claim 29 includes the following elements not taught or otherwise suggested by the cited references:

*"receiving the request Uniform Resource Locator (URL) comprising data related to a patterned URL and data related to a destination URL;
determining the patterned URL based on the data related to the patterned URL from the request URL; and
generating a destination URL based on at least one member of a group comprising: the patterned URL, the data related to the destination URL from the request URL, and redirector configuration information."*

Applicants rely on the above arguments in support for independent claim 29.

Examiner respectfully disagrees.

As disclosed by Fuisz at Col. 3, Lines 10-12, a request in the form ww2.affinitypartners.com as a Uniform Resource Locator (URL) is received from a user, wherein "ww2" is considered as data related to a patterned URL. As disclosed at Col. 3, Lines 24-26, once the web address has been entered, the system recognizes an address is a translated address through the use of the "ww2" layer identifier. As seen, "ww2" as the patterned URL is recognized or determined by the system. As further disclosed at Col. 3, Lines 26-30, the input web address is translated into a valid web address. Take the input "ww2.affinitypartners.com" as an example, the requested "ww2.affinitypartners.com" is first recognized because of the "ww2" and is then translated into www.affinitypartners123456789.com. Thus, permitting multiple companies to have easily recognizable web address (Col. 3, Lines 4-49). The generation of www.affinitypartners123456789.com indicates the claimed limitation generating a destination URL, e.g., www.affinitypartners123456789.com, based on "ww2" as the patterned URL.

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• As argued by applicants with respect to dependent claims 6-7, 9, 12, 16-21, 23, 26, 30-35, 37 and 40 at page 15:

With regard to dependent claims 6-7, 9, 12, 16-21, 23, 26, 30-35, 37 and 40, Applicants assert that those claims include elements not taught or otherwise suggested by the cited reference. Moreover, those claims ultimately depend from independent claims 1, 15, and 29, respectively. As such, Applicants believe that those claims should be found allowable for at least the same reasons set forth above for independent claims 1, 15, and 29.

Examiner respectfully disagrees.

Dependent claims 6-7, 9, 12, 16-21, 23, 26, 30-35, 37 and 40 are unpatentable as detailed in the previous Office Action and for at least the same reasons set forth above with respect to independent claims 1, 15 and 29.

In light of the foregoing arguments, the rejection of claims 1-7, 9, 12, 15-21, 23, 26, 29-35, 37 and 40 under 35 U.S.C. § 102 is hereby sustained.

Claim Rejections - 35 USC § 103

Applicants' arguments with respect to the rejection of claims 8, 10, 11, 13, 14, 22, 24, 25, 27, 28, 36, 38, 39, 41 and 42 under 35 U.S.C. § 103 have been fully considered but they are not persuasive.

As argued by applicants at page 16:

There is no suggestion in either of the references that they may be combined in the manner asserted in the Office Action. Moreover, even if an argument could be made that a suggestion exists, the claims include elements not taught by the cited references. Also, the above stated claims ultimately depend from independent claims 1, 15, and 29, respectively. Claims 1, 15, and 29 are allowable for the reasons set forth above. Accordingly, Applicants believe that dependent claims are allowable for at least those same reasons.

Examiner respectfully disagrees.

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In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, a specifier pertains to a culture language is a common specifier, e.g., jp indicates Japanese. Thus, translating information pertaining to a language into an identifying code and inserting the code into the generated URL is a must for Fuisz method.

In addition, claims 8, 10, 11, 13, 14, 22, 24, 25, 27, 28, 36, 38, 39, 41 and 42 are unpatentable for the reasons as discussed above with respect to independent claims 1, 15 and 29.

In light of the foregoing arguments, the rejection of claims 8, 10, 11, 13, 14, 22, 24, 25, 27, 28, 36, 38, 39, 41 and 42 under 35 U.S.C. § 103 is hereby sustained.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 30-42 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.,

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Claims 30-42 recite a computer readable medium, which is defined on page 10 of the specification of the invention as including communication media, including "wireless media such as acoustic, RF, infrared and other wireless media". These wireless media operate by means of a carrier wave. For example, RF media operate by means of radio or electromagnetic waves. Because carrier waves, being a form of electromagnetic energy, do not fall into one of the statutory categories of 35 U.S.C. 101, the claim includes non-statutory subject matter. For a detailed explanation, the examiner respectfully referred applicant to the First Office Action with regards to the rejection under 35 U.S.C. § 101.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9, 12, 15-21, 23, 26, 29-35, 37 and 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Fuisz et al. [USP 7,039,722 B1].

Regarding claim 1, Fuisz teaches *a method of redirecting a request URL* comprising:

receiving the request Uniform Resource Locator (URL) comprising data related to a patterned URL and data related to a destination URL (Col. 3 Lines 10-12, inputting a URL "ww2.affinitypartners.com" || comprising data related to a patterned URL. e.g., "ww2", and data related to a destination URL, e.g.,

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"affinitypartners.com". The "ww2" portion relates to a patterned URL because the translation formula, which determines the output URL pattern, used to translate the input URL is based on this "layer identifier" portion. The "affinitypartners.com" portion relates to a destination URL, because this portion is copied into the output URL);

determining the patterned URL based on the data related to the patterned URL from the request URL (Col. 3 Lines 24-26, where a translation formula describing a URL pattern is determined based on the layer identifier of the input URL); and

generating a destination URL based on one or more of the patterned URL, the data related to the destination URL from the request URL, and redirector configuration information (Col. 3 Lines 26-30 and Col. 3 Lines 4-49, using the translation formula to translate the input Web address into a valid Web address).

Regarding claim 2, 16, and 30, Fuisz further discloses the steps of:

parsing the patterned URL (Col. 3 Lines 45-47, "affinitypartners" is parsed from 'ww2.affinitypartners.com' so that "affinitypartners" can be copied into the output URL);

determining whether a character from the patterned URL indicates a pattern (Col. 3 Lines 45-47, the characters "ww2" in the input URL indicate that the pattern of the URL is that of a translated URL);

responsive to the character from the patterned URL indicating a pattern, interpreting the pattern based on a data source type and a format specifier (Col. 3 Lines 36-47, "ww2" indicates that the data type of the URL is a translated URL. The translation formula is a format specifier, since it determines the format of the output URL. The input URL is interpreted by the translation formula, thereby forming the output URL.), and

responsive to the character from the patterned URL not indicating a pattern, copying the character from the patterned URL to the destination URL (Col. 3 Lines 38-41, the string N is copied into the output URL).

Regarding claims 3, 17, and 31, Fuisz further discloses the steps of *interpreting the pattern based on the format specifier comprises responsive to the format specifier indicating a name of a service, looking up an Hyper-Text Transfer Protocol (HTTP) address for the service and placing the address into the destination URL* (Col. 3 Lines 45-47, the service name "affinitypartners" in the input web address is placed in the output web address).

Regarding claims 4, 18, and 32, Fuisz further discloses the steps of *interpreting the pattern based on the format specifier comprises responsive to the format specifier indicating string data, copying the string data into the destination URL* (Col. 3 Lines 36-41 and 45-47, showing the string data "123456789" is copied into the output URL www.affinitypartners123456789.com).

Regarding claims 5, 19, and 33, Fuisz further discloses the steps of *interpreting the pattern based on the format specifier comprises responsive to the format specifier indicating a language, rewriting the language as a corresponding culture and adding the culture to the destination URL* (Col. 8 Lines 11-14, indicating a format specifier indicating a language, for example, "wwwspanish", and defining addresses that correspond to different languages).

Regarding claims 6, 20, and 34, Fuisz further discloses the steps of *interpreting the pattern based on the format specifier comprises responsive to the format specifier indicating a language, rewriting the language as a corresponding culture and adding the culture to the destination URL if the language indicates other than English* (Col. 8 Lines 11-14, indicating a format specifier indicating a language, for example, "wwwspanish", and defining addresses that correspond to different languages).

Regarding claims 7, 21, and 35, Fuisz further teaches the steps of *interpreting the pattern based on the format specifier comprises responsive to the format specifier indicating a language, copying the language to*

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the destination URL if the language indicates other than English (Col. 8 Lines 11-14, indicating a format specifier indicating a language, for example, "wwwspanish", and defining addresses that correspond to different languages).

Regarding claims 9, 23, and 37, Fuisz further teaches the steps of *interpreting the pattern based on the format specifier comprises responsive to the format specifier indicating a special string copy, copying a following string to the destination URL only if a previous portion of the patterned URL caused data to be written to the destination URL* (Col. 3 Lines 38-47, the special string N, is copied into the output URL).

Regarding claims 12, 26, and 40, Fuisz further teaches the steps of *interpreting the pattern based on the data source type comprises responsive to the data source type indicating that data is located in a data source identifier of the patterned URL, copying the data source identifier from the patterned URL to the destination URL* (Col. 3 Lines 45-47, the data source identifier "affinitypartners" is copied from the patterned URL "ww2.affinitypartners.com" to the destination URL "www.affinitypartners123456789.com").

Regarding claim 15, Fuisz teaches a system comprising:

a processor (Col. 3 Line 66 through Col. 4 Line 2, Item 6 in Figure 2, it is inherent that a PC includes a processor); and

a memory coupled with and readable by the processor and having stored therein instructions (Col. 3 Line 66 through Col. 4 Line 2, Item 6 in Figure 2, a memory that stores instructions and is coupled to a processor storing is taught inherently, since the invention is implemented on a hardware and software configuration).

For the remainder of the claim, the Applicant is referred to the remarks and discussion made with regards to the rejection of claim 1 above.

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Regarding claim 29, Fuisz further teaches *a computer storage medium encoding a computer program of instructions for executing a computer process for redirecting a request URL* (Col. 3 Line 66 through Col. 4 Line 2, Item 6 in Figure 2, the invention is implemented on a software configuration).

For the remainder of the claim, the Applicant is referred to the remarks and discussion made with regards to the rejection of claim 1 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8, 22 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuisz et al. [USP 7,039,722 B1] and further in view of Durst, Jr. et al. [USP 6,542,933 B1].

Regarding claims 8, 22 and 36, Fuisz does not explicitly teach the steps of *interpreting the pattern based on the format specifier comprises responsive to the format specifier indicating a culture, translating the culture to a Language Culture Identifier (LCID) and placing the LCID into the destination URL*.

Durst, Jr. et al teaches the steps of *interpreting the pattern based on the format specifier comprises responsive to the format specifier indicating a culture, translating the culture to a Language Culture Identifier (LCID) and placing the LCID into the destination URL* (Col. 15 Lines 12 and 15-18, translating information pertaining to a language into an identifying code, and inserting the code into the URL). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have modified the method of redirecting a URL taught by Fuisz by the method of translating

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information pertaining to a language into an identifying code and inserting the code into the URL taught by Durst, Jr. et al, because translating information pertaining to a language into an identifying code and inserting the code into the URL both obscures the fields in the URL and shortens the URL (Durst, Jr. et al col. 15 lines 18-20)).

Claims 10, 11, 13, 14, 24, 25, 27, 28, 38, 39, 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fuisz et al. [USP 7,039,722 B1] and further in view of Bahrs et al. (U.S. Publication 2004/0205557 A1).

Regarding claims 10, 24, and 38, Fuisz does not explicitly teach the steps of *interpreting the pattern based on the data source type comprises responsive to the data source type indicating that data is located in a path portion of the request URL, copying a path part from the request URL to the destination.*

Bahrs teaches the steps of *interpreting the pattern based on the data source type comprises responsive to the data source type indicating that data is located in a path portion of the request URL, copying a path part from the request URL to the destination* (Bahrs, Lines 6-12 of paragraph [0047], encountering a URL containing path information, Lines 1-2 and 5-8 of paragraph [0051], copying the path part of the URL into an output URL).

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have modified the method of redirecting a URL taught by Fuisz by the method of copying the path part of a URL into an output URL taught by Bahrs et al, because generating a URL by copying path data from a request URL to a destination URL avoids the use of high-maintenance hard-coded links (Bahrs, paragraph [0007]).

Regarding claims 11, 25, and 39, Fuisz and Bahrs, in combination, teach all of the claimed subject matter as discussed above; Bahrs further teaches the steps of *interpreting the*

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pattern based on the data source type comprises responsive to the data source type indicating that data is located in a query string of the request URL, copying data from the query string of the request URL to the destination URL

(Bahrs, lines 6-12 of paragraph [0047], encountering a URL containing path information, lines 2-8 of paragraph [0051], copying the query parameters of the URL into an output URL).

Regarding claims 13, 27, and 41, Fuisz and Bahrs, in combination, teach all of the claimed subject matter as discussed above, Bahrs further discloses the claimed limitation *the path portion is identified by a data source identifier in the pattern* (Bahrs, lines 1-2 of paragraph [0050], where "/" identifies the path portion).

Regarding claims 14, 28, and 42, Fuisz and Bahrs, in combination, teach all of the claimed subject matter as discussed above, Bahrs further teaches the claimed limitation *the query string is identified by a data source identifier in the pattern* (Bahrs, lines 2-4 of paragraph [0051], where "/" identifies the query string).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q. PHAM whose telephone number is 571-272-4040. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM T. VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

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would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



HUNG Q PHAM
Examiner
Art Unit 2168

October 19, 2006



TIM VO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100